

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

COZEN O'CONNOR, P.C. : CIVIL ACTION
: :
v. : :
: :
RICHARD S. FISCHBEIN : NO. 09-4931

ORDER

AND NOW, this 16th day of March, 2010, upon
consideration of the complaint (docket entry # 1), defendant's
motion to dismiss pursuant to F.R.C.P. 12(b)(2) and 12(b)(3) or,
in the alternative, to transfer venue pursuant to 28 U.S.C. §
1404 (docket entry # 7), plaintiff's response thereto (docket
entry # 13), and defendant's motion for leave to file a reply
brief (docket entry # 18), it is hereby ORDERED that:

1. Defendant's motion for leave to file a reply brief
(docket entry # 18) is GRANTED;
2. The Clerk of Court shall DOCKET defendant's reply
brief, which is attached to his motion for leave to file a reply
brief as Exhibit A;
3. Defendant's motion to dismiss (docket entry # 7)
is GRANTED IN PART and DENIED IN PART;
4. Defendant's motion to dismiss the complaint
pursuant to Fed. R. Civ. P. 12(b)(2) and (12)(b)(3) is DENIED;
5. Defendant's motion to transfer this action to the

Southern District of New York is GRANTED;

6. The Clerk of Court shall TRANSFER this matter and all case papers to the Southern District of New York; and

7. The Clerk of Court shall CLOSE this matter statistically.

BY THE COURT:

____\s\Stewart Dalzell